

**MANDATE**

**UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT**

THURGOOD MARSHALL U.S. COURT HOUSE  
40 FOLEY SQUARE, NEW YORK, N.Y. 10007

Catherine O'Hagan Wolfe  
CLERK OF COURT

Date: 1/11/08  
Docket Number: 07-2895-pr  
Short Title: Dicks v. USA

DC Docket Number: 07-cv-5479  
DC: SDNY (NEW YORK CITY)  
DC Judge: Honorable Lewis Kaplan

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 11th day of January, two thousand eight.

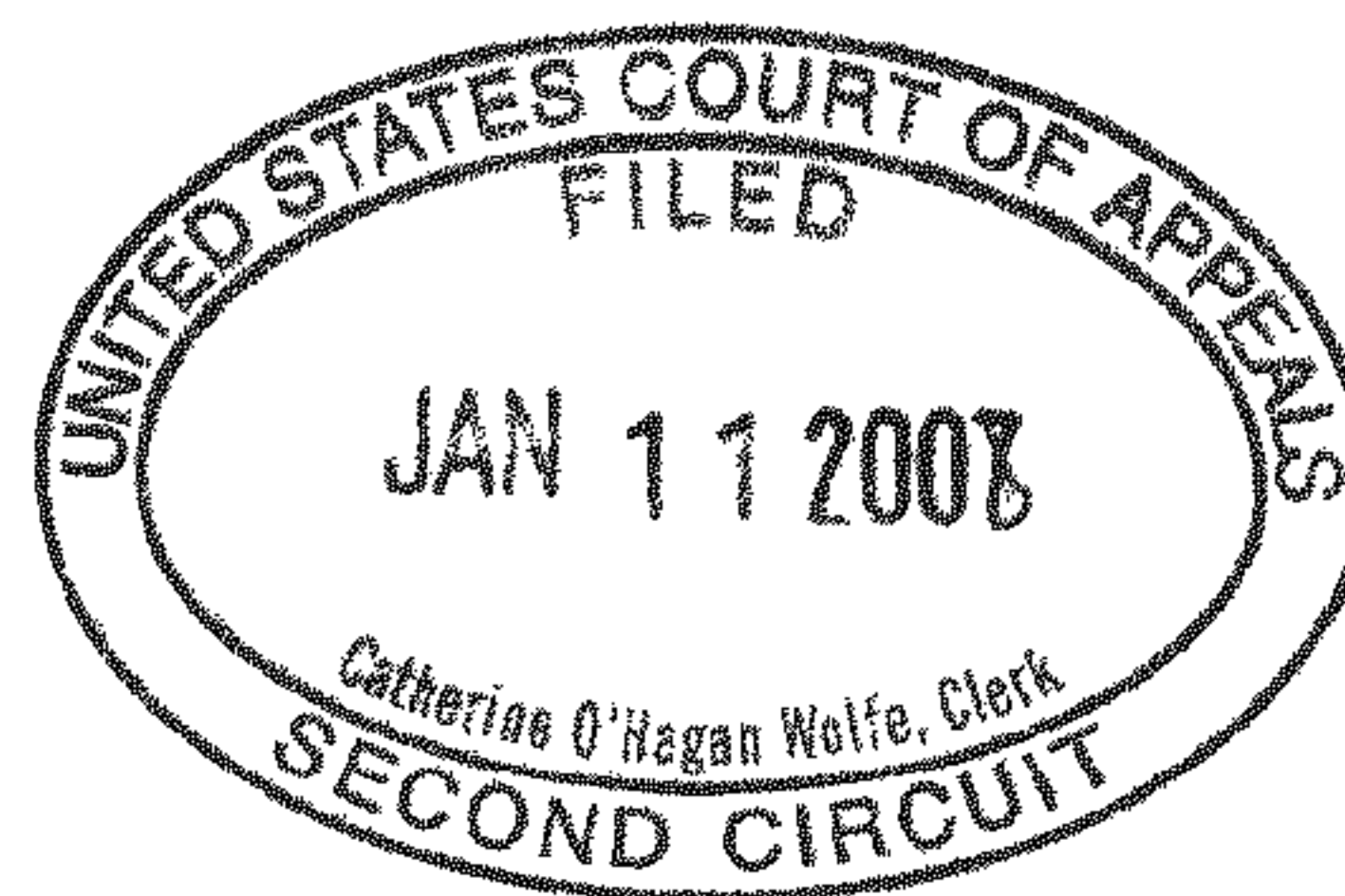
Eric Dicks,

Petitioner-Appellant,

v.

United States of America,

Respondent-Appellee



The *Civil Appeals Management Plan* of this court directs that within ten (10) days after filing a Notice of Appeal, the appellant shall, inter alia, either pay the docketing fee or move for leave to proceed in forma pauperis, and that in the event of default of this requirement the Clerk may dismiss the appeal without further notice.

The appellant herein not having so proceeded, upon consideration thereof, it is **ORDERED** that the appeal from the order of 6/11/07 United States District Court for the Southern District of New York be, and it hereby is **DISMISSED**. Any motions pending prior to the entry of this order of dismissal are deemed **MOOT**.

For the Court:  
Catherine O'Hagan Wolfe, Clerk

By: Eugene L. Martin  
Eugene L. Martin, Deputy Clerk

A TRUE COPY  
Catherine O'Hagan Wolfe, Clerk

by: Eugene L. Martin  
DEPUTY CLERK

ISSUED AS MANDATE:

JAN 11 2008



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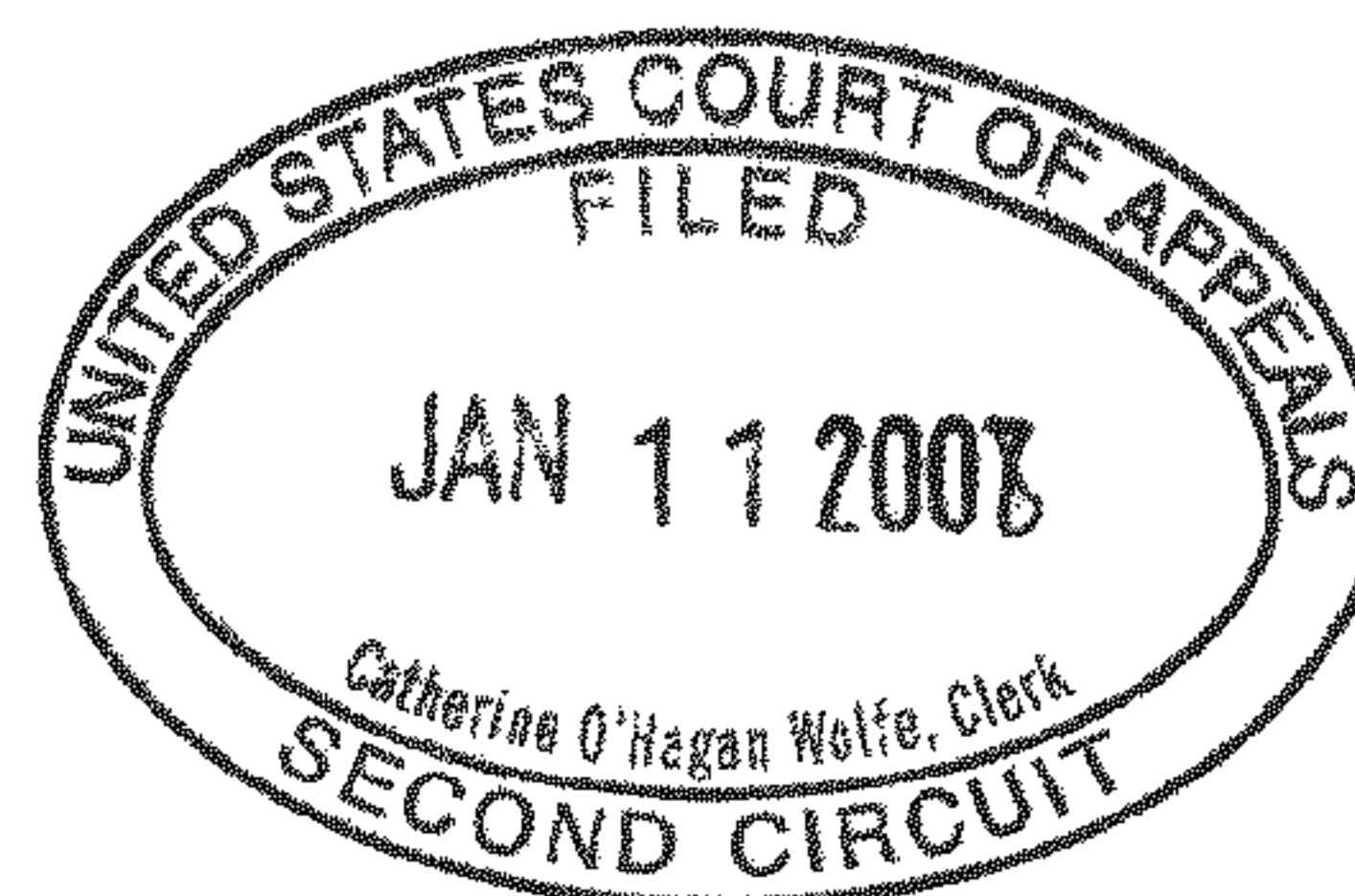
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THE MANDATE, CONSISTING OF  
ITEMS BELOW, HAS BEEN RECEIVED  
( ) OPINION ( ) STATEMENT OF COSTS  
( ) ORDER  
RECEIVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

For the Court:  
Catherine O'Hagan Wolfe, Clerk  
By: E. Eugene L. Martin  
Eugene L. Martin, Deputy Clerk